

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	CASE NO. 8:05CR245
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
CHARLES E. WIIG,)	
)	
Defendant.)	

This matter is before the Court on the Defendant's successive motion under 28 U.S.C. § 2255 (Filing No. 115).

Rule 9 of the Rules Governing Section 2255 Proceedings provides: "Before presenting a second or successive motion, the moving party must obtain an order from the appropriate court of appeals authorizing the district court to consider the motion, as required by 28 U.S.C. § 2255, para. 8." The Defendant's successive § 2255 motion is denied for lack of an order from the Eighth Circuit allowing this Court to consider the motion.

IT IS ORDERED:

1. The Defendant's successive motion under 28 U.S.C. § 2255 (Filing No. 115) is denied; and
2. The Clerk is directed to mail a copy of this order to the Defendant at his last known address.

DATED this 17th day of February, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge